

the Committee on Energy and Commerce of the House of Representatives.

“(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the 18-month or 2-year period covered by the report—

“(A) a description of—

“(i) the reviews and studies conducted under this section;

“(ii) the determinations and conclusions of the National Academy of Sciences with respect to such reviews and studies; and

“(iii) the scientific evidence and reasoning that led to such conclusions;

“(B) the recommendations for further areas of study made under subsection (e) for the reporting period;

“(C) a description of any classes of employees that, based on the results of the reviews and studies, could qualify as a Special Exposure Cohort; and

“(D) the identification of any illness that the National Academy of Sciences has determined, as a result of the reviews and studies, should be a covered illness.

“(g) LIMITATION ON AUTHORITY.—The authority to enter into agreements under this section shall be effective for a fiscal year to the extent that appropriations are available.

“(h) SUNSET.—This section shall cease to be effective 10 years after the last day of the fiscal year in which the National Academy of Sciences transmits to the Secretary the first report under subsection (f).”.

SEC. 3166. CONFORMING AMENDMENTS.

The Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) is amended—

(1) in the table of contents—

(A) by redesignating the item relating to section 3614 as the item relating to section 3616;

(B) by inserting after the item relating to section 3613 the following:

“Sec. 3614. Information and outreach.

“Sec. 3615. National Academy of Sciences review.”;

and

(C) by inserting after the item relating to section 3681 the following:

“Sec. 3681A. Completion and updates of site exposure matrices.”;

and

(2) in each of subsections (b)(1) and (c) of section 3612, by striking “3614(b)” and inserting “3616(b)”.

SA 4188. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____ SCHOOL SAFETY.

(a) SHORT TITLE.—This section may be cited as the “Luke and Alex School Safety Act of 2021”.

(b) FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY BEST PRACTICES.—

(1) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by inserting after section 2215 the following:

“SEC. 2216. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY BEST PRACTICES.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary, in coordination with the Secretary of Education, the Attorney General, and the Secretary of Health and Human Services, shall establish a Federal Clearinghouse on School Safety Best Practices (in this section referred to as the ‘Clearinghouse’) within the Department.

“(2) PURPOSE.—The Clearinghouse shall be the primary resource of the Federal Government to identify and publish online through SchoolSafety.gov, or any successor website, the best practices and recommendations for school safety for use by State and local educational agencies, institutions of higher education, State and local law enforcement agencies, health professionals, and the general public.

“(3) PERSONNEL.—

“(A) ASSIGNMENTS.—The Clearinghouse shall be assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

“(B) DETAILEES.—The Secretary of Education, the Attorney General, and the Secretary of Health and Human Services may detail personnel to the Clearinghouse.

“(4) EXEMPTIONS.—

“(A) PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly known as the ‘Paperwork Reduction Act’) shall not apply to any rulemaking or information collection required under this section.

“(B) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply for the purposes of carrying out this section.

“(b) CLEARINGHOUSE CONTENTS.—

“(1) CONSULTATION.—In identifying the best practices and recommendations for the Clearinghouse, the Secretary may consult with appropriate Federal, State, local, Tribal, private sector, and nongovernmental organizations.

“(2) CRITERIA FOR BEST PRACTICES AND RECOMMENDATIONS.—The best practices and recommendations of the Clearinghouse shall, at a minimum—

“(A) involve comprehensive school safety measures, including threat prevention, preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of a school upon implementation;

“(B) include any evidence or research rationale supporting the determination of the Clearinghouse that the best practice or recommendation under subparagraph (A) has been shown to have a significant effect on improving the health, safety, and welfare of persons in school settings, including—

“(i) relevant research that is evidence-based, as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), supporting the best practice or recommendation;

“(ii) findings and data from previous Federal or State commissions recommending improvements to the safety posture of a school; or

“(iii) other supportive evidence or findings relied upon by the Clearinghouse in determining best practices and recommendations to improve the safety posture of a school upon implementation; and

“(C) include information on Federal grant programs for which implementation of each best practice or recommendation is an eligible use for the program.

“(3) PAST COMMISSION RECOMMENDATIONS.—To the greatest extent practicable, the Clearinghouse shall present, as appropriate, Federal, State, local, Tribal, private sector, and nongovernmental organization issued best practices and recommendations and identify any best practice or recommendation of the Clearinghouse that was previously issued by any such organization or commission.

“(c) ASSISTANCE AND TRAINING.—The Secretary may produce and publish materials on the Clearinghouse to assist and train educational agencies and law enforcement agencies on the implementation of the best practices and recommendations.

“(d) CONTINUOUS IMPROVEMENT.—The Secretary shall—

“(1) collect for the purpose of continuous improvement of the Clearinghouse—

“(A) Clearinghouse data analytics;

“(B) user feedback on the implementation of resources, best practices, and recommendations identified by the Clearinghouse; and

“(C) any evaluations conducted on implementation of the best practices and recommendations of the Clearinghouse; and

“(2) in coordination with the Secretary of Education, the Secretary of Health and Human Services, and the Attorney General—

“(A) regularly assess and identify Clearinghouse best practices and recommendations for which there are no resources available through Federal Government programs for implementation; and

“(B) establish an external advisory board, which shall be comprised of appropriate State, local, Tribal, private sector, and nongovernmental organizations, including organizations representing parents of elementary and secondary school students, to—

“(i) provide feedback on the implementation of best practices and recommendations of the Clearinghouse; and

“(ii) propose additional recommendations for best practices for inclusion in the Clearinghouse.

“(e) PARENTAL ASSISTANCE.—The Clearinghouse shall produce materials to assist parents and legal guardians of students with identifying relevant Clearinghouse resources related to supporting the implementation of Clearinghouse best practices and recommendations.”.

(2) TECHNICAL AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 2215 the following:

“Sec. 2216. Federal Clearinghouse on School Safety Best Practices.”.

(c) NOTIFICATION OF CLEARINGHOUSE.—

(1) NOTIFICATION BY THE SECRETARY OF EDUCATION.—The Secretary of Education shall provide written notification of the publication of the Federal Clearinghouse on School Safety Best Practices (referred to in this section as the “Clearinghouse”), as required to be established under section 2216 of the Homeland Security Act of 2002, as added by subsection (b) of this section, to—

(A) every State and local educational agency; and

(B) other Department of Education partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Education.

(2) NOTIFICATION BY THE SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2216 of the Homeland Security Act of 2002, as added by subsection (b) of this section, to—

(A) every State homeland security advisor;

(B) every State department of homeland security; and

(C) other Department of Homeland Security partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Homeland Security.

(3) NOTIFICATION BY THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary

of Health and Human Services shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2216 of the Homeland Security Act of 2002, as added by subsection (b) of this section, to—

(A) every State department of public health; and

(B) other Department of Health and Human Services partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Health and Human Services.

(4) NOTIFICATION BY THE ATTORNEY GENERAL.—The Attorney General shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2216 of the Homeland Security Act of 2002, as added by subsection (b) of this section, to—

(A) every State department of justice; and

(B) other Department of Justice partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Attorney General.

(d) GRANT PROGRAM REVIEW.—

(1) FEDERAL GRANTS AND RESOURCES.—The Secretary of Education, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Attorney General shall each—

(A) review grant programs administered by their respective agency and identify any grant program that may be used to implement best practices and recommendations of the Clearinghouse;

(B) identify any best practices and recommendations of the Clearinghouse for which there is not a Federal grant program that may be used for the purposes of implementing the best practice or recommendation as applicable to the agency; and

(C) periodically report any findings under subparagraph (B) to the appropriate committees of Congress.

(2) STATE GRANTS AND RESOURCES.—The Clearinghouse shall, to the extent practicable, identify, for each State—

(A) each agency responsible for school safety in the State, or any State that does not have such an agency designated;

(B) any grant program that may be used for the purposes of implementing best practices and recommendations of the Clearinghouse; and

(C) any resources other than grant programs that may be used to assist in implementation of best practices and recommendations of the Clearinghouse.

(e) RULES OF CONSTRUCTION.—

(1) WAIVER OF REQUIREMENTS.—Nothing in this section or the amendments made by this section shall be construed to create, satisfy, or waive any requirement under—

(A) title II of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 et seq.);

(B) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(C) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.);

(D) title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); or

(E) the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

(2) PROHIBITION ON FEDERALLY DEVELOPED, MANDATED, OR ENDORSED CURRICULUM.—Nothing in this section or the amendments made by this section shall be construed to authorize any officer or employee of the Federal Government to engage in an activity otherwise prohibited under section 103(b) of the Department of Education Organization Act (20 U.S.C. 3403(b)).

SA 4189. Mr. WHITEHOUSE (for himself and Mr. GRAHAM) submitted an

amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. PREVENTING INTERNATIONAL CYBERCRIME.

(a) PREDICATE OFFENSES.—Part I of title 18, United States Code, is amended—

(1) in section 1956(c)(7)(D)—

(A) by striking “or section 2339D” and inserting “section 2339D”; and

(B) by striking “of this title, section 46502” and inserting “, or section 2512 (relating to the manufacture, distribution, possession, and advertising of wire, oral, or electronic communication intercepting devices) of this title, section 46502”; and

(2) in section 1961(1), by inserting “section 1030 (relating to fraud and related activity in connection with computers) if the act indictable under section 1030 is felonious,” before “section 1084”.

(b) FORFEITURE.—

(1) IN GENERAL.—Section 2513 of title 18, United States Code, is amended to read as follows:

“§2513. Confiscation of wire, oral, or electronic communication intercepting devices and other property

“(a) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation of section 2511 or 2512, or convicted of conspiracy to violate section 2511 or 2512, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

“(1) such person’s interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of a violation of section 2511 or 2512; and

“(2) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained or retained directly or indirectly as a result of a violation of section 2511 or 2512.

“(b) FORFEITURE PROCEDURES.—Pursuant to section 2461(c) of title 28, the procedures of section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) thereof, shall apply to criminal forfeitures under this section.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 119 of title 18, United States Code, is amended by striking the item relating to section 2513 and inserting the following:

“2513. Confiscation of wire, oral, or electronic communication intercepting devices and other property.”.

(c) SHUTTING DOWN BOTNETS.—

(1) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(A) in the heading, by inserting “**and abuse**” after “**fraud**”;

(B) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (B), by striking “or” at the end;

(II) in subparagraph (C), by inserting “or” after the semicolon; and

(III) by inserting after subparagraph (C) the following:

“(D) violating or about to violate section 1030(a)(5) of this title where such conduct has caused or would cause damage (as defined in section 1030) without authorization to 100 or more protected computers (as defined in section 1030) during any 1-year period, including by—

“(i) impairing the availability or integrity of the protected computers without authorization; or

“(ii) installing or maintaining control over malicious software on the protected computers that, without authorization, has caused or would cause damage to the protected computers;”; and

(ii) in paragraph (2), in the matter preceding subparagraph (A), by inserting “, a violation described in subsection (a)(1)(D),” before “or a Federal”; and

(C) by adding at the end the following:

“(c) A restraining order, prohibition, or other action by a court described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

“(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action by a court; and

“(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action by a court.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by striking the item relating to section 1345 and inserting the following:

“1345. Injunctions against fraud and abuse.”.

(d) AGGRAVATED DAMAGE TO COMPUTERS USED TO OPERATE OR ACCESS CRITICAL SYSTEMS AND ASSETS.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

“§1030A. Aggravated damage to computers used to operate or access critical systems and assets

“(a) OFFENSE.—It shall be unlawful, during and in relation to a felony violation of section 1030, to knowingly cause or attempt to cause damage to a computer used to operate or access critical systems and assets, if such damage results in (or, in the case of an attempted offense, would, if completed, have resulted in) the substantial impairment—

“(1) of the operation of the computer; or

“(2) of the critical systems and assets associated with such computer.

“(b) PENALTY.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, be fined under this title, imprisoned for not more than 20 years, or both.

“(c) PROHIBITION ON PROBATION.—Notwithstanding any other provision of law, a court shall not place any person convicted of a violation of this section on probation.

“(d) DEFINITIONS.—In this section—

“(1) the terms ‘computer’ and ‘damage’ have the meanings given the terms in section 1030; and

“(2) the term ‘critical systems and assets’ means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have catastrophic regional or national effects on public health or safety, economic security, or national security, including voter registration databases, voting machines, and other communications systems that manage the election process or report and display results on behalf of State and local governments.”.